

# UNDERGROUND STORAGE TANKS (UST-REG-01), TECHNICAL REQUIREMENTS FOR USTS (UST-REG-02)

GENERAL INFORMATION (Revised August 13, 2004)

## **WHY MUST TANKS BE REGISTERED?**

The Louisiana Environmental Quality Act, L.R.S. 30:2194 et seq., requires the registration of underground storage tanks (USTs) that have stored (or are presently storing) regulated substances. The UST regulations as found in the Environmental Regulatory Code (LAC 33:XI.Chapter 3) delineates this requirement. It is illegal for ANY PERSON (including the UST owner/operator) to place a regulated substance into an unregistered UST system. All USTs must be registered with the DEQ's UST Division, unless:

- The UST was filled with a solid inert material before January 1, 1974; or
- The UST was removed from the ground prior to May 8, 1986. A current copy of the registration must be kept at the UST site or at the nearest staffed facility. WHO MUST REGISTER? The UST owner must notify the DEQ of the existence of his/her UST(s). Any owner who knowingly fails to register or submits false information shall be subject to a civil penalty. An owner is defined as the following:
  - The current owner of the land under which the tank is buried,
  - Any legal owner of the tank,
  - Any known operator of the tank,
  - Any lessee or
  - Any lessor.

If one person defined as an owner complies, it will be deemed compliance by all persons defined as owner.

## **WHAT TANKS ARE INCLUDED?**

Only underground, and not aboveground, storage tanks are included in the registration requirements. An "underground storage tank" is defined as any one or combination of tanks that contains an accumulation of "regulated substances," and whose volume (including connected underground piping) is 10% or more beneath the ground.

The following UST systems are **EXCLUDED** from registration:

- farm or residential USTs (1,100-gallon capacity or less) storing motor fuel for noncommercial purposes;
- USTs storing heating oil for consumptive use on the premises where stored;
- septic tanks;
- pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate facility regulated by the state;
- surface impoundments, pits, ponds, or lagoons;
- storm-water or wastewater collection systems;
- flow-through process tanks;
- liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;
- tanks situated in an underground area (such as basement, cellar, mineworking, drift, shaft, or tunnel), if the tanks are situated upon or above the surface of the floor;
- any UST system holding hazardous wastes listed or identified in the DEQ's hazardous waste regulations, or a mixture of such wastes;
- any tank that is part of a wastewater treatment facility regulated under Section 402 or 307(b) of the Clean Water Act;
- equipment or machinery containing regulated substances for operational purposes such as hydraulic lift tanks and electrical equipment tanks;
- any UST system with a capacity of 110 gallons or less;
- any UST system that contains de minimis concentrations of regulated substances;
- any emergency spill or overflow containment UST system that is expeditiously emptied after use;
- wastewater treatment tanks systems;
- any UST system storing radioactive materials regulated under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et. seq);
- any UST system that is part of an emergency generator system at nuclear power generation facilities regulated by the Nuclear Regulatory Commission under 10 CFR 50, Appendix A;
- airport hydrant fuel distribution systems; and
- UST systems with field-constructed tanks.

## **WHAT SUBSTANCES ARE INCLUDED?**

The registration requirements apply to UST's that contain regulated substances. This includes: petroleum, e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute). This includes petroleum and petroleum-based substances derived from crude oil through processes of separation, conversion, upgrading, and finishing (e.g. motor fuels, jet fuels, lubricants, used oils, petroleum solvents, etc.); and any substance defined as hazardous in section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous wastes under the DEQ's hazardous waste regulations.

## **REGISTRATIONS**

There are two basic types of registration:

- Registration of new tanks and/or
- Amended registrations (which include name and ownership changes, upgrades, etc).

Appropriate form(s) must be used and all sections completed.

## **REGISTRATION OF NEW TANKS:**

After May 8, 1986, a registration form (UST-REG-01) must be filed with the DEQ 30 days before new UST system being put into service. The UST-REG-02 for technical requirements must be submitted as soon as the tanks and lines have been installed and tested. A Certificate of Underground Storage Tank Registration will not be submitted until a completed UST-REG-02 form is received by the Department and fees are paid.

### **AMENDED REGISTRATIONS:**

All existing UST systems previously registered with the DEQ shall be considered to be in compliance with the registration requirements if the information on file with the DEQ is current and accurate. Therefore, an amended registration must be filed within 30 days for the following:

- change in ownership and/or facility information, including name and address changes (UST-REG-01 and UST-REG-02)
- change in status of the UST system; i.e., temporary closure (UST-REG-01)
- change-in-service; i.e., change in tank contents (UST-REG-01 and UST-REG-02)
- additional or replacement tanks have been installed (UST-REG-01 and UST-REG-02)
- when the UST system has been upgraded (UST-REG-02)

Both the buyer and seller of an installed UST system should be aware of the following requirements.

- Any person who sells a UST system is required to notify the DEQ in writing within 30 days after the date of the transaction. The notice should include a bill of sale and the new owner's name, contact person, address and telephone number.
- Any person who acquires a UST system shall submit a registration form within 30 days of the acquisition.
- An amended registration must also be filed when errors or omissions are discovered in previously provided information (UST-REG-01 and/or UST-REG-02).

### **REGISTRATION FEES:**

When a new registration is submitted, fees must also be submitted to the DEQ. Annually thereafter, the site UST Billing Party will receive an itemized invoice for applicable fees for the State of Louisiana's fiscal year (July 1 through June 30). All fees must be paid regardless of whether the tanks will be installed, are out of service, or are permanently/temporarily closed during the fiscal year.

Annual Registration Fee All UST owners must pay a fee of \$54 per tank. An owner's registration on file with the DEQ will not be valid until payment is received. After payment is received, a "Certificate of Registration" will be issued for each facility. This certificate must be posted in a conspicuous location so that persons filling the USTs can easily verify registration.

#### Annual Monitoring and Maintenance Fee

State and federal agencies must pay a fee of \$158.

Owners of USTs containing hazardous substances as defined in Section 103 of the UST regulations must pay a fee of \$660.

Owners of USTs containing petroleum products not meeting the definition of a motor fuel must pay a fee of \$158.

#### Motor Fuels Storage Tank Trust Fund Fee

Owners of USTs containing new or used oils must pay a fee of \$275.

### **WHERE CAN ADDITIONAL INFORMATION BE OBTAINED?**

[The UST law](#) - Environmental Quality Act (Title 30, Sections 2194 and 2195) [The UST regulations](#) - Environmental Regulatory Code (Title 33, Part XI)

Please direct all correspondence regarding UST Registrations to the following address:

Louisiana Department of Environmental Quality  
Financial Services Division – UST Registrations  
P.O. Box 4303  
Baton Rouge, Louisiana 70821-4303

#### **Phone:**

**UST Registrations/Certificates: (225) 219-3431 or (225) 219-3433**  
**UST Registration Fees & Invoices: (225) 219-3913**